

REMARKS

The present application includes pending claims 1-29, all of which have been rejected. By this Amendment, claims 1-2, 4-7, 9-11, 13, 15-16, 18-21, 24 and 26-28 have been amended. New claims 30-47 have been added. The Applicants respectfully submit that the pending claims define patentable subject matter.

Claims 1-9, 14-22, 25-27 and 29 stand rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 7,065,778 ("Lu"). Claims 10-13, 23-24 and 28 stand rejected under 35 U.S.C 103(a) as being unpatentable over Lu in view of United States Patent No. 6,963,358 ("Cohen"). The Applicants respectfully traverse these rejections for at least the reasons previously discussed during prosecution and the following.

Lu "relates to the field of utilizing personalized video recorders and other similar types of devices to distribute television programming." *See* Lu at column 1, lines 7-11. In particular, Lu discloses a system in which a user is able to record a show that is transmitted in another broadcast area. *See id.* at Abstract.

For example, Lu describes the following:

Specifically, personalized video recorder 200 is coupled to the Internet 302 such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer 304. The user of personalized video recorder 200 utilizes the EPG to request delivery of a specific television show that may not be available to him or her. Upon reception of the request from personalized video recorder 200, EPG server computer 304 locates via Internet 302 one or more personalized video recorders... situated within a broadcast region of the requested television show. Subsequently, EPG server computer 304 programs one or more personalized video recorders... to record the requested television show when it is broadcast by a television content provider.... Once the personalized video recorders... record the television show, one or more of the personalized video recorders may transmit it to EPG

server computer 304 which then transmits it to the requested personalized video recorder 200. In this manner, the present embodiment enables personalized video recorder 200 to order and receive specific television shows that are unavailable from its television content provider....

Lu at column 6, lines 39-61. Thus, Lu discloses a system in which a user sends a recording request that is received by a server computer via the Internet. The server computer then arbitrarily locates a recorder within the broadcast region of the show, and then sends the recorded show back to the requesting user.

Claim 1, as amended, recites, in part, “server software that **maintains a user defined association of the first and second network protocol addresses**, that receives a request that identifies one of the associated first and second network protocol addresses and responds by identifying the other of the associated first and second network protocol addresses **to support delivery via the communication network of the 3rd party media from the at least one server, and the first media from the first storage, to the second home, and the 3rd party media from the at least one server, to the first home, for concurrent consumption of the 3rd party media by the first television display, and the 3rd party media and the first media by the second television display.**” Lu does not describe, teach, or suggest these limitations. Instead, Lu merely discloses that a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR.

The Office Action cites Lu at column 10, lines 10-15 as disclosing a request that “identifies one of the associated first and second network protocol addresses.” *See* September 20, 2007 Office Action at page 3. This portion of Lu states, however, the following:

Furthermore, the programming instructions of step 512 may also

include an Internet Protocol (IP) address of a device (e.g., personalized video recorder 200) that the personalized video recorder (e.g., 200A or 200B) should transmit the requested television show to once it has been recorded.

Lu at column 10, lines 10-15. This portion of Lu merely indicates the IP address of the location to which the recorded show will be sent. This portion of Lu does not, however, describe, teach or suggest “server software that **maintains a user defined association of the first and second network protocol addresses**, that receives a request that identifies one of the associated first and second network protocol addresses and responds by identifying the other of the associated first and second network protocol addresses,” as recited in claim 1.

Additionally, the Office Action cites Lu at column 6, lines 39-61 as disclosing “support[ing] delivery via the communication network of the 3rd party media from the at least one server, and the first media from the first storage, to the second home, and the 3rd party media from the at least one server, to the first home.” *See* September 20, 2007 Office Action at page 3. This portion of Lu recites, however, the following:

Specifically, personalized video recorder 200 is coupled to the Internet 302 such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer 304. The user of personalized video recorder 200 utilizes the EPG to request delivery of a specific television show that may not be available to him or her. Upon reception of the request from personalized video recorder 200, EPG server computer 304 locates via Internet 302 one or more personalized video recorders (e.g., 200A and/or 200B) situated within a broadcast region of the request television show. Subsequently, EPG server computer 304 programs one or more personalized video recorders (e.g., 200A and/or 200B) to record the requested television show when it is broadcast by a television content provider (e.g., television head-end 308). Once the personalized video recorders (e.g., 200A and 200B) record the television show, one or more of the personalized video recorders may transmit it to the requested personalized video recorder 200. In this manner, the present embodiment enables personalized video

recorder 200 to order and receive specific television shows that are unavailable from its television content provider (e.g., 306).

See Lu at column 6, lines 39-61. The “request” mentioned in this passage is a “request [for] delivery of a specific television show that may not be available to him or her.” *See id.* at column 6, lines 43-45. In response to the request for delivery, Lu discloses that the EPG server “locates one or more personalized video recorders situated within a broadcast region of the requested television show.” Location of a recorder within a particular broadcast region in response to a request for delivery of a particular television show is not a response to a request that identifies one of the associated first and second network protocol addresses that “identif[ies] the other of the associated first and second network protocol addresses to support delivery,” as recited in claim 1. Moreover, there is nothing in this passage, or the rest of Lu, that describes, teaches or suggests “support[ing] **delivery via the communication network of the 3rd party media from the at least one server, and the first media from the first storage, to the second home, and the 3rd party media from the at least one server, to the first home, for concurrent consumption of the 3rd party media by the first television display, and the 3rd party media and the first media by the second television display,**” as recited in claim 1.

The Applicants respectfully submit that Lu does not describe, teach or suggest “server software that **maintains a user defined association of the first and second network protocol addresses**, that receives a request that identifies one of the associated first and second network protocol addresses and responds by identifying the other of the associated first and second network protocol addresses **to support delivery via the communication network of the 3rd party media from the at least one server, and the first media from the first storage, to the second home, and the 3rd party media from the at least one server, to the first home, for**

concurrent consumption of the 3rd party media by the first television display, and the 3rd party media and the first media by the second television display,” as recited in claim 1.

Thus, for at least these reasons, Lu does not anticipate claims 1-9 and 14.

Independent claim 15, as amended, also recites “server software that maintains a user defined association of the first and second protocol addresses, that receives a request that identifies one of the associated first and second protocol addresses and responds by identifying the other of the associated first and second protocol addresses to support delivery via the communication network of the 3rd party media from the at least one server and the first media from the first storage, to the second television display for concurrent consumption of the 3rd party media and the first media.” For at least the reasons discussed above with respect to claim 1, the Applicants respectfully submit that Lu does not anticipate claims 15-22.

Independent claim 25 recites, in part, “set top box circuitry, in the second home, communicatively coupled to receive the first media from the first storage and the 3rd party media from the at least one server, for concurrent consumption by the second television display,” and “server software that coordinates delivery via the communication network of the first media from the first storage and the 3rd party media from the at least one server to the set top box circuitry.” As discussed above, Lu does not describe, teach or suggest receiving first media from a first storage and 3rd party media from at least one server, for concurrent consumption by a television. Thus, for at least these reasons, Lu does not anticipate claims 25-27 and 29.

The Applicants now turn to the rejection of claims 10-13, 23-24 and 28 as being unpatentable over Lu in view of Cohen. The proposed combination of references does not render these claims unpatentable for at least the reasons discussed above.

New claims 30-47 should be in condition for allowance for at least some of the reasons discussed above. The fee for these new claims is calculated below:

18 additional claims in excess of 20 X \$50/claim = \$900

2 additional independent claims in excess of 3 X \$210/claim = \$420

TOTAL = \$1320

In general, the Office Action makes various statements regarding the pending claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. The Applicants expressly reserve the right, however, to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in a future claim rejection).

The Applicants respectfully submit that the Office Action has not established a *prima facie* case of anticipation or obviousness with respect to any of the pending claims for at least the reasons discussed above and request that the outstanding rejections be reconsidered and withdrawn. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the undersigned attorney for Applicants.

The Commissioner is authorized to charge any necessary fees, **including the \$1320 fee for the new claims**, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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